

1 things.

2 DELEGATE CASE: I don't think that is true, be-
3 cause you have overlooked the words "as limited by common
4 law."

5 In other words, you have the overriding restraint
6 on the General Assembly who would be the only party that
7 could define it; that they would have to be of the type
8 known in common law. These were very minor offenses.
9 For example, here is what I think you may be worried about:
10 If the General Assembly should say that larceny would be
11 a petty offense, this would undoubtedly be unconstitu-
12 tional, because larceny, even petty larceny, was defined
13 as not being a petty offense under the present Constitution.
14 So the type or genre of these cases is set now by the common
15 law and by the use of those words it confines it to the very
16 remote, incidental, trifling little matters that
17 either now exist or might sometime in the future exist;
18 but in no event would the door be open to the thing that
19 I think is troubling you because of the use of the words
20 "common law."

21 THE CHAIRMAN: Delegate Vecera.